

Implications of the Public Charge Rule for Albuquerque's Asian Pacific Islander (API) Community

KEY MESSAGES

THE PROBLEM

- ▶ **In February 2020, the Trump administration implemented a revised rule for public charge policy of the Immigration and Nationality Act of 1965:**
 - The proposed changes affect people applying for lawful permanent resident status (i.e. LPR or Green Card), LPRs who have been out of the country for more than 6 months and are seeking to return, non-immigrant visa holders who would like to stay longer or change to a different visa, and foreign nationals seeking entry or reentry into the U.S. More than 941,000 recent green card holders, including 300,000 from Asian countries, would likely have been excluded by the new public charge rule.
 - As a result, the revision negatively impacts “aliens” who receive one or more public benefits for more than 12 months in total within any 36-month period, but also penalizes those who are likely to do so based on age, health, family status, financial status, education, skills, prospective immigration status, and English proficiency.
 - Benefits under public charge now include Medicaid, the Supplemental Nutrition Program (SNAP), Section 8 housing assistance, public housing, and state and local cash assistance, in addition to the original 1999 public benefits considered (SSI, TANF, state general assistance programs, and long-term institutionalization paid for by the government).
- ▶ **The revised rule is a threat to the health and wellbeing of New Mexico's API communities by limiting access to government safety net programs, harming immigrants of color, as well as their citizen family members, who are low-income and Limited-English proficient (LEP) with low educational attainment. Consequences include limited access to healthcare, food, housing and education for the API community and other marginalized communities:**
 - API immigrants and their children will face more expensive health care bills, will not be able to access preventative care, and will have higher levels of economic insecurity.
 - Lack of access to SNAP tends to result in long term nutritional deficiencies and increased risk of chronic disease for API families.
 - Lack of access to Section 8 housing assistance and public housing results in an increase in the homeless population in the US.
 - The lack of access to healthcare, shelter, and food negatively impacts the behavioral, emotional, and academic well-being of the children of immigrant parents.

POLICY CONTEXT

Asian Pacific Islanders are a historical critical thread to the complex and diverse fabric of New Mexico.

Events such as the California Gold Rush and first transcontinental railroad brought the first Chinese and Japanese immigrants to New Mexico in the late 1800s. The 60s and 70s brought a wave of Vietnamese, Filipino, and Korean immigrants following the Vietnam War. While New Mexico's API immigrant population remains extant at 3% of the overall population, it is expected to grow. Nationally, the API population increased by 72% (2000 and 2015) and is projected to make up 38% of all immigrants in the US by 2055, becoming the largest immigrant group. Despite their central role to New Mexico, the API population is often overshadowed by the myth of a “tri-cultural state.” To preserve and protect the health and well-being of API families, intersectional partners may forge efforts to advance equitable policy options including NM state legislators, US Congressional members, counties and city governments, foundations, school boards, workforce boards, immigrant-focused organizations, advocacy groups, and other non-profits.



POLICY OPTIONS

- **Policy Option 1: Create a State-run Universal Health Coverage for all New Mexicans by Passing the Health Security Act (HSA).** The new public charge rule created additional barriers for API immigrants in accessing coverage and worsening existing health risks (i.e. cancer and Hepatitis B). A fiscal analysis conducted for the NM legislature (2020) shows that the NM Health Security Plan would reduce rising health care costs, saving up to \$2.7 billion in a five-year period. The HS Plan: 1) creates an independent, nongovernmental commission to administer the plan; 2) maintains the private health care delivery system, while reducing costs and administrative burden for health care providers and hospitals; and 3) is paid for through a combination of public and private dollars, including existing public dollars spent on health care, income-based premiums (with caps), and employer contributions. All New Mexicans including API immigrant families would have health care coverage.
- **Policy Option 2: The State of New Mexico should implement a General Cash Assistance Program that is available to all regardless of immigration status.** In addition to the limitations placed on immigrants by the new public charge rule, many immigrants were left out of COVID-19 relief. Beside immigration status, we know that many members of the API community in Albuquerque are in the service industry and have been impacted by the COVID-19 stay at home restrictions.
- **Policy Option 3: The State Executive and/or Legislature Should Pass an Executive Order or Bill Aimed at Addressing Institutional Racism.** Institutional racism perpetuates health and social inequities by creating a system that disadvantages people of color compared to their white counterparts. Such an EO or Bill should require state agencies to develop and implement policies to address, reduce, and prevent institutional racism. In the wake of the global COVID-19 pandemic, API families and community members have been targeted by the brunt of racial acts of violence in Albuquerque, falling in line with the national rhetoric out of the White House touting it as a Chinese virus. The structural racism seen in all our institutions in NM is further heightened by the fact that APIs are made invisible by these very institutions. The tri-cultural myth relegates Asians as “statistically insignificant” making it impossible to truly address the inequities they experience.
- **Policy Option 4: Use the Land Grant Permanent Fund for Early Childhood Education for All Children.** The new public charge rule is predicted to worsen existing disparities in educational outcomes for API immigrant children, as many mothers and fathers are unable to afford childcare and thus unable to seek employment. Moreover, access to early childhood education and other educational interventions for children of immigrants and immigrant children can help to close the gap of educational disparities. This policy option is the constitutional amendment seeking to increase the annual distribution from the Land Grant Permanent Fund from 5% to 6%, providing millions of dollars of increased funding for early childhood education.

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Selected References

Asian American Culture and Heritage in Albuquerque, New Mexico. (n.d.). Retrieved January 9, 2021, from <https://www.visitalbuquerque.org/about-abq/culture-heritage/asian-american/> hermes. (2017, September 17).

Asians set to be largest immigrant group in US [Text]. The Straits Times. <https://www.straitstimes.com/world/united-states/asians-set-to-be-largest-immigrant-group-in-us>

Greenberg, J. B., Michael Fix, Mark. (2019, August 8). Millions Will Feel Chilling Effects of U.S. Public-Charge Rule That Is Also Likely to Reshape Legal Immigration. Migrationpolicy.Org. <https://www.migrationpolicy.org/news/chilling-effects-us-public-charge-rule-commentary>

Immigrants in New Mexico. (2015, August 1). American Immigration Council. <https://www.americanimmigrationcouncil.org/research/immigrants-in-new-mexico>

Public Charge Fact Sheet | USCIS. (2020, September 22). <https://www.uscis.gov/news/public-charge-fact-sheet>

SNAP Works for America's Children. (2016, September 28). Center on Budget and Policy Priorities. <https://www.cbpp.org/research/food-assistance/snap-works-for-americas-children>

